



Department of Justice

1. FOR IMMEDIATE RELEASE CRT

MONDAY, NOVEMBER 27, 2006 (202) 514-2007

WWW.USDOJ.GOV TDD (202) 514-1888

SECOND OHIO MAN PLEADS GUILTY TO CIVIL RIGHTS CHARGES FOR USING TOXIC MERCURY TO INTIMIDATE INTERRACIAL FAMILY

WASHINGTON — Joseph Kuzlik, of Ohio, pleaded guilty today to federal civil rights charges for his role in violating the civil rights of an interracial family in Cleveland. He also pleaded guilty to making false statements to federal investigators. Sentencing has been set for Feb. 23, 2007. On Oct. 26, 2006, David Fredericy, another individual charged in the case, entered a guilty plea to the same charges.

Kuzlik pleaded guilty to federal civil rights charges for his role in using force and threats of force to interfere with federally protected housing rights of the victims because of their race. The indictment in this case alleges that Kuzlik and Fredericy conspired to engage in a series of acts intended to threaten and intimidate African-American residents in their neighborhood. The indictment charges, among other acts, that the defendants placed mercury, a toxic substance, on the family's porch. As part of his guilty plea, Kuzlik admitted that he did so for the purpose of intimidating the family because they were an interracial family, and that he and his co-defendant were attempting to drive the family out of the neighborhood. Kuzlik also admitted to lying to federal investigators from the Environmental Protection Agency, the federal agency that was initially charged with cleaning up the mercury and investigating the incident, because of an agreement he had with Fredericy to keep their actions secret.

"Today's plea sends a clear message that bias-motivated acts of violence are intolerable and will be prosecuted aggressively by the Justice Department consistent with federal law," said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. "It is a tragedy that crimes such as this occur at all in our nation, but we will not relent in our efforts to protect and defend the civil rights afforded by our Constitution and laws."

U.S. Attorney Gregory White of the Northern District of Ohio said, "Today's guilty plea is the result of a joint effort by the FBI, the Cleveland Police Department and the EPA and demonstrates the commitment of both state and federal law enforcement authorities to protecting

every citizen's basic right to live in and enjoy his or her own home without fear of racial intimidation. We must all work together, as a community, to prevent this type of conduct from recurring."

The maximum potential penalties on the conspiracy and civil rights charges are 10 years in prison, a \$250,000 fine, and three years of supervised release following any period of incarceration, per count. The maximum term of imprisonment for the false statements charge is five years. A sentencing hearing has not yet been scheduled.

The case is being prosecuted by Assistant U.S. Attorney Ann C. Rowland and Trial Attorney Kristy L. Parker of the Civil Rights Division.

Prosecuting the perpetrators of bias-motivated crimes is a top priority of the Justice Department. Since 2001, the Civil Rights Division has charged 161 defendants in 103 cases of bias-motivated crimes.